



Paper No. 19

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OFFICE OF PETITIONS

In re Application of
Woodard, et al.
Application No. 08/951,201
Filed: October 14, 1997
Attorney Docket No. 33470US

DECISION ON PETITION

This is a decision on the petition filed April 2, 2002, pursuant to 37 CFR 1.137(b), to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned as a result of petitioner's failure to timely file an Appeal Brief (and fee) within the time period provided in 37 CFR 1.192(a). A final Office action was mailed on November 18, 1999, which set a shortened statutory period for reply of three (3) months. Petitioner obtained a two month extension of time and replied with an Amendment and a Notice of Appeal on April 18, 2000. However, by Advisory Action mailed May 15, 2000, the examiner informed petitioner that the Amendment would not be entered. Accordingly, the two month period of time (extendable under 37 CFR 1.136(a)) for filing the Appeal Brief started to run from April 18, 2000. No Appeal Brief having been filed and no further extensions of time having been received, the above-identified application became abandoned on June 19, 2000. A Notice of Abandonment was mailed on January 30, 2001.

With the instant petition, the petitioner filed a request for a continued prosecution application (CPA) of the above-identified application under 37 CFR 1.53(d), and met all other requirements for a grantable petition under 37 CFR 1.137(b). The above-identified application is again abandoned in favor of the CPA, filed September 10, 2001.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

The application file is being forwarded to Technology Center 1700 for processing of the CPA, filed April 2, 2002.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0272.



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